

**BOARD OF LICENSE COMMISSIONERS  
CARROLL COUNTY, MARYLAND  
MINUTES**

**On September 17, 2014, the Board of License Commissioners met in Room 311 of the Carroll County Office Building, 225 North Center Street, Westminster, Maryland 21157. Board members Roland Meerdtter, Chairman, Robert Tabler, and David Brauning were present as well as Assistant County Attorney Timothy Dixon, Counsel to the Board, Gail Kessler, Counsel to the Liquor Inspector, Jo Vance, Administrative Hearings Coordinator, Charles Kaizer, Chief Liquor Inspector, and Keith Benfer, Liquor Inspector.**

**10:00 a.m.**, the Board addressed the following official business:

1. A hearing was held in the matter of Case 5768, the application of Kenneth D. Robertson for a new Class BW – Beer and Wine License for the use of Cinco De Mayo 5, Inc., t/a Cinco De Mayo, 402 Englar Road, Westminster, MD, in Election District 7. Mr. Dixon read the file into evidence and it was accepted by the Board. Mr. Robertson testified about the proposed business and how it would be run. He stated that he would be at the business every day for at least part of the day and that the bartenders will all be TAM certified. Charles Kaizer testified that there have been no problems with getting their approvals and permits. There was some question as to why no character witnesses for Mr. Robertson were in attendance. Mr. Robertson stated that he did not realize he was supposed to bring these references, but he did ask if Mr. Jose Antonio Ulloa could testify on his behalf. Mr. Tabler made a motion that the Board adjourn to consult with counsel. Mr. Brauning seconded the motion and the vote was unanimous to adjourn. Upon the Board's return and upon a motion by Mr. Brauning to approve the application, seconded by Mr. Tabler, the Board voted unanimously to approve with the stipulation that accepting this application without the character references present was not setting a precedent, but was a one-time exemption for this case.
2. A hearing was held in the matter of Case 5767, the violation hearing of Jagtar Randhawa for a Class BW – Beer and Wine License for the use of Spargo's, Inc., t/a Spargo's, 3165 Main Street, Manchester, MD, in Election District 6. Charles Kaizer testified that he received the notice of violation from Sergeant Carlos Bustos of the Carroll County Sheriff's office that conducted an age compliance check on July 17, 2014. At that time, the server, Shiloh Polito served an underage cadet. Ms. Polito testified that she did the math wrong in her head and didn't know why she made the mistake. Mr. Randhawa testified that he has since added a license scanner to help wait staff is certain of a person's age and that vertical ID's would no longer be accepted at all. After consultation with counsel, on a motion made by Mr. Tabler and seconded by Mr. Brauning a vote was taken to impose a fine of \$300.00. The motion passed 2 to 1 in favor of imposing the fine of \$300.00. Mr. Meerdtter was the dissenting vote. Mr. Brauning stated for the record that because this was the first offense this business has had and because of the steps that had been taken since the violation occurred he felt the \$300.00 fine was a reasonable amount.
3. Ms. Vance handed out draft copies of the proposed Rule changes to the Board members and staff. This is for their review prior to the October hearing at which the changes will be

discussed. Mr. Breuer of the Licensed Beverage Association asked if the licensees could have a copy of the draft document. After discussion the Board decided that they would have Ms. Vance collate their suggestions into one draft document and that the licensees would be emailed the draft document after that occurred.

4. A one day liquor license application from Audrey Cimino for the Community Foundation of Carroll County/Sykesville Main Street Association for a Beer & Chili Fest on September 6, 2014, was unanimously approved by vote upon a motion made by Mr. Tabler and seconded by Mr. Brauning.
5. A one day liquor license application from Maureen Meloche of McDaniel College for a reunion event to be held on the McDaniel College Football Field on October 25, 2014, was presented and discussed. Upon a motion by Mr. Brauning, seconded by Mr. Tabler, the application was unanimously approved.
6. A letter and drawings from Rite Aid Liquors was presented to the Board giving the statement of facts and plans for a remodeling of the store. After discussion and upon a motion by Mr. Tabler, seconded by Mr. Brauning, the Board granted the permission for this remodeling by unanimous vote.
7. A one day liquor license application from Darrell Taylor for Camp Farthest Out, Inc., for a fundraiser to be held at the camp on September 20, 2014 was presented to the Board. After discussion and information provided by Mr. Kaizer about the location, upon a motion by Mr. Tabler and seconded by Mr. Brauning, the application was approved by unanimous vote.
8. A question from Kevin Atticks of the Maryland Wine Associate was presented to the Board. Mr. Atticks was asked by one winery if they could serve and sell Pomace Brandy at the Maryland Wine Festival. After much discussion and testimony by Mr. Kaizer that Pomace Brandy is a distilled product like liquor and not a fermented product like wine, upon a motion make by Mr. Tabler and seconded by Mr. Brauning, the Board denied the request to sell and serve Pomace Brandy at the Wine Festival by a unanimous vote.
9. A hearing was held in the matter of Case 5770, the violation hearing for false statements of Chandrakant Desai for the use of Greenmount Group, Inc., t/a The Liquor Shoppe, 2775 Hanover Pike, Hampstead, MD 21074. Specifically, Mr. Desai had phoned and then followed up with a visit to Ms. Vance stating that he had not signed the application for license renewal in April, 2014. He signed a statement of facts by Ms. Vance that he declared the signature on the application to be a forgery of his name. He also stated at the time that he did not have any participation in the business, financial or otherwise, and had not for several years. Mr. Michael Ritchey, Esq. appeared for the Greenmount Group, Inc. and Ms. Gail Kessler, Deputy County Attorney, appeared for the liquor inspector and prosecutor in the case. Testimony was given by Mr. Sanjay Chokshi about his attempts to become a naturalized citizen of the United States so that he could become the resident licensee for the business. Mr. Neil Desai then testified about Mr. Chokshi's asking him to contact his uncle, Chandrakant Desai, about signing the renewal application for the liquor license in 2014. Mr. Chandrakant Desai then testified about his inattention to the matter at the time because of his daughter's upcoming

wedding. After all had testified and Mr. Ritchey had given his closing statement and Ms. Kessler had given her closing statement, upon a motion made by Mr. Tabler and seconded by Mr. Brauning, the Board voted unanimously to consult with counsel to determine what to do in this case. After consulting with Mr. Dixon, counsel for the Board, it was voted unanimously on a motion made by Mr. Brauning and seconded by Mr. Tabler, that Greenmount Group, Inc. would be fined \$2,000.00 and that their license would be suspended for ten (10) business days to include two weekends.

10. Ms. Carol Mullen presented some information to the Board about the next Coalition meeting at the Health Department on October 9, 2014. Ms. Mullen also showed the Board a device that is being sold in South Carolina specifically for Jell-O shots.
11. The meeting was adjourned upon a motion made by Mr. Brauning and seconded by Mr. Tabler with a unanimous vote at 1:15 p.m.

Respectfully submitted by:

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Jo Vance  
Administrator Hearings Coordinator  
Office of Administrative Hearings